

Application No. 10/666,048
Response dated January 24, 2008
Reply to Office Action of April 6, 2007

REMARKS

This is a response to the Office Action dated September 24, 2007. A shortened statutory period was set to expire three months from the date of the Office Action making a response due by December 24, 2007. Applicant is requesting a one month extension of time to respond, the response due on January 24, 2008. There are currently 11 claims pending in the case. All claims are rejected. New claims 12 and 13 have been added. This response is being submitted in order to place the case in condition for allowance.

Claims 1-11 were provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-3, 5, 7-9, 15-25 of copending application No.10/666048.

Further Claims 1-11 were rejection under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, claims 1 and 9 includes the terminology “curing bladder,” which needed clarity. Further claim 5 was unclear as to whether a carbon black or a composition was being claimed.

Finally, page 11 of the specification needed to be corrected as to references provided.

Applicant acknowledges the rejection of the claims and respectfully traverses.

Double Patenting Rejection

As is allowed under 37 CFR 1.321(c), Applicant is submitting a terminal disclaimer signed by applicant’s attorney, which should overcome the provisional rejection as set forth in the Office Action.

Rejection Under Section 112

The terms “curing bladder” as used in the claims is a term of art well known to those skilled in the art of tire manufacturing, where carbon black is a very important product in the process. The use of the composition as claimed in claims 1 and 9 is discussed, beginning at page 34, line 24, and ending at page 35, line 16, including all of the information contained in the Tables 13-20 as discussed in that part of the specification. Therefore, the use of the terms “curing bladder” in Claims 1 and 9 would be very well understood and known by a person skilled in this art, and therefore this rejection should be withdrawn.

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Claim 5 has been amended to utilize the term “composition” in order to clarify the claim. Therefore, this rejection should be withdrawn.

In regard to the specification, at page 11, Applicant has deleted lines 1 through 7 of the page, making reference to the pending application as discussed. Therefore, this rejection should be withdrawn.

Having complied with the request of the Examiner, Applicant is requesting re-examination of the claims and the issuance of the Notice of Allowance.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

The Terminal Disclaimer Fee and the request of a one month extension of time is being charged to Deposit Account No. 50-0694. Please charge any fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,

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